

BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

**LYNDA RAY LAWSON-LEWIS**  
**616 Dexter St**  
**Santa Rosa, CA 95404**

**Registered Nurse License No. 672976**

Respondent

Case No. 2011-930

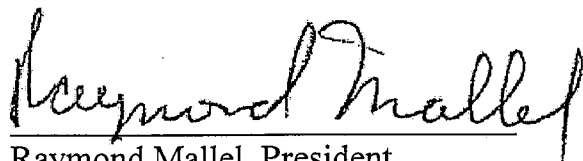
OAH No. 2012010647

**DECISION AND ORDER**

The attached Stipulated Surrender of License and Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on **December 14, 2012.**

IT IS SO ORDERED **December 14, 2012.**



Raymond Mallel, President  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California

1 KAMALA D. HARRIS  
Attorney General of California  
2 DIANN SOKOLOFF  
Supervising Deputy Attorney General  
3 SHANA A. BAGLEY  
Deputy Attorney General  
4 State Bar No. 169423  
1515 Clay Street, 20th Floor  
5 P.O. Box 70550  
Oakland, CA 94612-0550  
6 Telephone: (510) 622-2129  
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7 *Attorneys for Complainant*

8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2011-930

13 **LYNDA RAY LAWSON-LEWIS**  
616 Dexter St  
Santa Rosa, CA 95404

OAH No. 2012010647

14 **Registered Nurse License No. 672976**

**STIPULATED SURRENDER OF  
LICENSE AND ORDER**

15 Respondent.

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17 IT IS HEREBY STIPULATED AND AGREED by and between the parties in this  
18 proceeding that the following matters are true:

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., RN (Complainant) is the Executive Officer of the Board of  
21 Registered Nursing. She brought this action solely in her official capacity and is represented in  
22 this matter by Kamala D. Harris, Attorney General of the State of California, by Shana A. Bagley,  
23 Deputy Attorney General.

24 2. Lynda Ray Lawson-Lewis (Respondent) is represented in this proceeding by attorney  
25 Robert F. Hahn, Esq., whose address is Law Offices of Gould & Hahn, 2550 Ninth Street, Suite  
26 101, Berkeley, CA 94710-2551.

27 3. On or about February 3, 2006, the Board of Registered Nursing issued Registered  
28 Nurse License No. 672976 to Lynda Ray Lawson-Lewis (Respondent). The Registered Nurse

1 License was in full force and effect at all times relevant to the charges brought in Accusation No.  
2 2011-930 and will expire on August 31, 2013, unless renewed.

3 JURISDICTION

4 4. Accusation No. 2011-930 was filed before the Board of Registered Nursing (Board),  
5 Department of Consumer Affairs, and is currently pending against Respondent. The Accusation  
6 and all other statutorily required documents were properly served on Respondent on May 18,  
7 2011. Respondent timely filed her Notice of Defense contesting the Accusation. A copy of  
8 Accusation No. 2011-930 is attached as exhibit A and incorporated by reference.

9 ADVISEMENT AND WAIVERS

10 5. Respondent has carefully read, fully discussed with counsel, and understands the  
11 charges and allegations in Accusation No. 2011-930. Respondent also has carefully read, fully  
12 discussed with counsel, and understands the effects of this Stipulated Surrender of License and  
13 Order.

14 6. Respondent is fully aware of her legal rights in this matter, including the right to a  
15 hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at  
16 her own expense; the right to confront and cross-examine the witnesses against her; the right to  
17 present evidence and to testify on her own behalf; the right to the issuance of subpoenas to  
18 compel the attendance of witnesses and the production of documents; the right to reconsideration  
19 and court review of an adverse decision; and all other rights accorded by the California  
20 Administrative Procedure Act and other applicable laws.

21 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and  
22 every right set forth above.

23 CULPABILITY

24 8. Respondent understands that the charges and allegations in Accusation No. 2011-930,  
25 if proven at a hearing, constitute cause for imposing discipline upon her Registered Nurse  
26 License.

27 9. For the purpose of resolving the Accusation without the expense and uncertainty of  
28 further proceedings, Respondent agrees that, at a hearing, Complainant could establish a factual

1 basis for the charges in the Accusation and that those charges constitute cause for discipline.  
2 Respondent hereby gives up her right to contest that cause for discipline exists based on those  
3 charges.

4 10. Respondent understands that by signing this stipulation she enables the Board to issue  
5 an order accepting the surrender of her Registered Nurse License without further process.

6 CONTINGENCY

7 11. This stipulation shall be subject to approval by the Board of Registered Nursing.  
8 Respondent understands and agrees that counsel for Complainant and the staff of the Board of  
9 Registered Nursing may communicate directly with the Board regarding this stipulation and  
10 surrender, without notice to or participation by Respondent or her counsel. By signing the  
11 stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek  
12 to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails  
13 to adopt this stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary  
14 Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal  
15 action between the parties, and the Board shall not be disqualified from further action by having  
16 considered this matter.

17 12. The parties understand and agree that facsimile copies of this Stipulated Surrender of  
18 License and Order, including facsimile signatures thereto, shall have the same force and effect as  
19 the originals.

20 13. This Stipulated Surrender of License and Order is intended by the parties to be an  
21 integrated writing representing the complete, final, and exclusive embodiment of their agreement.  
22 It supersedes any and all prior or contemporaneous agreements, understandings, discussions,  
23 negotiations, and commitments (written or oral). This Stipulated Surrender of License and Order  
24 may not be altered, amended, modified, supplemented, or otherwise changed except by a writing  
25 executed by an authorized representative of each of the parties.

26 14. In consideration of the foregoing admissions and stipulations, the parties agree that  
27 the Board may, without further notice or formal proceeding, issue and enter the following Order:  
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**ORDER**

IT IS HEREBY ORDERED that Registered Nurse License No. 672976, issued to Respondent Lynda Ray Lawson-Lewis, is surrendered and accepted by the Board of Registered Nursing.

1. The surrender of Respondent's Registered Nurse License and the acceptance of the surrendered license by the Board shall constitute the imposition of discipline against Respondent. This stipulation constitutes a record of the discipline and shall become a part of Respondent's license history with the Board of Registered Nursing.

2. Respondent shall lose all rights and privileges as a Registered Nurse in California as of the effective date of the Board's Decision and Order.

3. Respondent shall cause to be delivered to the Board her pocket license and, if one was issued, her wall certificates on or before the effective date of the Decision and Order.

4. If Respondent ever files an application for licensure or a petition for reinstatement in the State of California, the Board shall treat it as a petition for reinstatement. Respondent must comply with all the laws, regulations and procedures for reinstatement of a revoked license in effect at the time the petition is filed, and all of the charges and allegations contained in Accusation No. 2011-930 shall be deemed to be true, correct and admitted by Respondent when the Board determines whether to grant or deny the petition.

5. If and when Respondent's license is reinstated, she shall pay to the Board costs associated with its investigation and enforcement pursuant to Business and Professions Code section 125.3 in the amount of \$7,688.00. Respondent shall be permitted to pay these costs in a payment plan approved by the Board. Nothing in this provision shall be construed to prohibit the Board from reducing the amount of cost recovery upon reinstatement of the license.


6. If Respondent should ever apply or reapply for a new license or certification, or petition for reinstatement of a license, by any other health care licensing agency in the State of California, all of the charges and allegations contained in Accusation No. 2011-930 shall be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or restrict licensure.

7. Respondent shall not apply for licensure or petition for reinstatement for two (2) years from the effective date of the Board of Registered Nursing's Decision and Order.

ACCEPTANCE

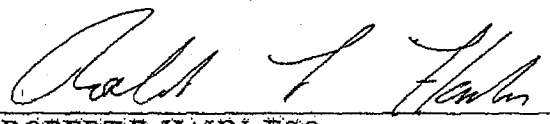
I have carefully read the above Stipulated Surrender of License and Order and have fully discussed it with my attorney, Robert F. Hahn, Esq. I understand the stipulation and the effect it will have on my Registered Nurse License. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Registered Nursing.

DATED: 8/16/12

  
LYNDA RAY LAWSON-LEWIS  
Respondent

I have read and fully discussed with Respondent Lynda Ray Lawson-Lewis the terms and conditions and other matters contained in this Stipulated Surrender of License and Order. I approve its form and content.

DATED: 8/16/12

  
ROBERT F. HAHN, ESQ.  
Attorney for Respondent

ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted

for consideration by the Board of Registered Nursing of the Department of Consumer Affairs.

Dated:

Respectfully submitted,

KAMALA D. HARRIS  
Attorney General of California  
DIANN SOKOLOFF  
Supervising Deputy Attorney General

SHANA A. BAGLEY  
Deputy Attorney General  
Attorneys for Complainant

7. Respondent shall not apply for licensure or petition for reinstatement for two (2) years from the effective date of the Board of Registered Nursing's Decision and Order.

## ACCEPTANCE

I have carefully read the above Stipulated Surrender of License and Order and have fully discussed it with my attorney, Robert F. Hahn, Esq. I understand the stipulation and the effect it will have on my Registered Nurse License. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Registered Nursing.

DATED:

LYNDA RAY LAWSON-LEWIS  
Respondent

I have read and fully discussed with Respondent Lynda Ray Lawson-Lewis the terms and conditions and other matters contained in this Stipulated Surrender of License and Order. I approve its form and content.

DATED:

ROBERT F. HAHN, ESQ.  
Attorney for Respondent

ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Board of Registered Nursing of the Department of Consumer Affairs.

Dated: 16 AUGUST 2012.

Respectfully submitted,

~~KAMALA D. HARRIS~~  
~~Attorney General of California~~  
~~DIANN SOKOLOFF~~  
~~Supervising Deputy Attorney General~~

SHANA A. BAGLEY  
Deputy Attorney General  
*Attorneys for Complainant*

**Exhibit A**

**Accusation No. 2011-930**

1 KAMALA D. HARRIS  
Attorney General of California  
2 DIANN SOKOLOFF  
Supervising Deputy Attorney General  
3 SHANA A. BAGLEY  
Deputy Attorney General  
4 State Bar No. 169423  
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616 Dexter St  
Santa Rosa, CA 95404

**ACCUSATION**

14 **Registered Nurse License No. 672976**

15 Respondent.

16  
17 Complainant alleges:

18 **PARTIES**

19 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her  
20 official capacity as the Executive Officer of the Board of Registered Nursing, Department of  
21 Consumer Affairs.

22 2. On or about February 3, 2006, the Board of Registered Nursing issued Registered  
23 Nurse License Number 672976 to Lynda Ray Lawson-Lewis (Respondent). The Registered  
24 Nurse License was in full force and effect at all times relevant to the charges brought in this  
25 Accusation and will expire on August 31, 2011, unless renewed.

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**COST RECOVERY**

10. Section 125.3 of the Code provides, in pertinent part, that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

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**CAUSE FOR DISCIPLINE**

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**(Unprofessional Conduct: Dangerous Use of Alcohol)  
(Business and Professions Code §§ 2761(a) and 2762(b))**

11. Respondent has subjected his registered nursing license to discipline under Code section 2761, subdivision (a), for unprofessional conduct, as defined by Code section 2762, subdivision (b), in that on or about September 9, 2009, she used alcohol in a manner dangerous or injurious to herself, any other person, or the public or to the extent that such use impaired her ability to conduct with safety to the public the practice authorized by her license. The circumstances are as follows:

15 A. From in or about 1990, through February 2010, Respondent was employed as a registered nurse at Kaiser Foundation Hospital in Santa Rosa, California.

17 B. On or about September 9, 2009, Respondent reported late for work for the night shift. She had alcohol on her breath and was observed speaking loudly, fumbling with equipment, speaking to herself and not making sense, walking with an off gait, and acting as if she were under the influence of drugs or alcohol. Respondent admitted to drinking three to four glasses of wine prior to work and admitted that she was under the influence of alcohol at work. Respondent was instructed to return to her home and Respondent complied.

23 C. In or about April 2010, Kaiser Foundation Hospital terminated Respondent for failure to meet the deadlines required by the Last Chance Agreement, Kaiser's Diversion Program.

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PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters in this Accusation alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number 672976, issued to Lynda Ray Lawson-Lewis;
2. Ordering Lynda Ray Lawson-Lewis to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; and
3. Taking such other and further action as deemed necessary and proper.

DATED: 5/18/11

*for* LOUISE R. BAILEY, M.ED., RN  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant

SF2011900156/ accusation.rtf